

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

**RICHMOND DIVISION**

<b>COMMONWEALTH OF VIRGINIA</b>	)	
<b>EX REL. KENNETH T. CUCCINELLI, II,</b>	)	
<b>in his official capacity as</b>	)	
<b>Attorney General of Virginia,</b>	)	
	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	<b>Civil Action No. 3:10cv188</b>
	)	
	)	
<b>KATHLEEN SEBELIUS,</b>	)	
<b>Secretary of the Department</b>	)	
<b>of Health and Human Services,</b>	)	
<b>in her official capacity,</b>	)	
	)	
<b>Defendant.</b>	)	

**CONSENT ORDER**

The matter before the Court is the briefing schedule for the Motions for Summary Judgment to be filed by the parties. Consistent with the Court's June 3, 2010 Order, the parties have conferred and agreed on such a schedule. Accordingly, it is hereby ORDERED, AJUDGED AND DECREED as follows:

1. The parties shall file their respective Motions for Summary Judgment and supporting memoranda on or before September 3, 2010. The supporting memoranda shall not exceed 45 pages.

2. The parties shall file memoranda in opposition to the respective Motions for Summary Judgment on or before September 23, 2010. The memoranda in opposition shall not exceed 45 pages.

3. To the extent that the parties wish to do so, their reply memoranda in support of their respective Motions for Summary Judgment shall be filed on or before October 4, 2010. The reply memoranda shall not exceed 20 pages.

4. Any and all amicus filings are due on or before October 4, 2010.

Entered: Aug 10, 2010

HEH /s/  
Henry E. Hudson  
United States District Judge

**SEEN AND AGREED:**

E. Duncan Getchell, Jr.  
E. Duncan Getchell, Jr., VSB #14156  
Office of the Attorney General  
900 East Main Street  
Richmond, Virginia 23219  
(804) 786-2436 (Telephone)  
(804) 786-1991 (Fax)  
[dgetchell@oag.state.va.us](mailto:dgetchell@oag.state.va.us)  
Counsel for Plaintiff

**SEEN AND AGREED:**

Jonathan H. (Jay) Hambrick  
Jonathan H. (Jay) Hambrick  
Assistant United States Attorney  
Eastern District of Virginia  
600 East Main Street, Suite 1800  
Richmond, Virginia 23219  
Phone: (804) 819-5400  
Fax: (804) 819-7417  
E-mail: [jay.h.hambrick@usdoj.gov](mailto:jay.h.hambrick@usdoj.gov)  
Counsel for Defendant